

Court of Appeals, State of Michigan

ORDER

Mary E. Battel v Public Schools Employees Retirement System

Docket No. 271312

LC No. 05-023210-AE

Jane E. Markey
Presiding Judge

David H. Sawyer

Janet T. Neff
Judges

Pursuant to MCR 7.205(D)(2), the Court orders that in lieu of granting the application for leave to appeal, the June 8, 2006 order of the circuit court is VACATED for the reason that the circuit court clearly erred in displacing the agency's choice between two reasonably differing views. See *Dignan v Michigan Public School Employees Retirement Bd*, 253 Mich App 571, 576; 659 NW2d 629 (2002). This case is REMANDED for entry of an order denying petitioner's appeal. This Court's order shall have immediate effect. MCR 7.215(F)(2). We do not retain jurisdiction.



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

JAN 26 2007
Date

Sandra Schultz Mengel
Chief Clerk